

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHRISTOPHER GARDNER,

Plaintiff(s),

vs.

ALFRED LECHTER,

Defendant(s).

Case No. 2:12-cv-00488-KJD-NJK

ORDER RE:
ORDER TO SHOW CAUSE

On September 23, 2013, the Court issued an order for Plaintiff to show cause why he should not be sanctioned for failing to appear at the hearing set for September 23, 2013 as ordered. *See* Docket No. 38. Plaintiff has filed a response. *See* Docket Nos. 39-40. Plaintiff asserts that, *inter alia*, he has health restrictions that prevent him from traveling. *See* Docket No. 39 at 3. The Court finds that Plaintiff's assertions do not excuse his failure to appear and hereby ADMONISHES him for failing to comply with a Court order. In particular, if Plaintiff believed his personal attendance at the hearing was not possible, the proper course was to file a request with the Court seeking relief from the order (*e.g.*, to appear telephonically) prior to the hearing. Plaintiff is cautioned that he is expected to abide by all Court orders, the Federal Rules of Civil Procedure, and the Local Rules, and that the failure to do so may result in sanctions, up to and including dismissal of his claims.¹

IT IS SO ORDERED.

DATED: October 29, 2013.



NANCY J. KOPPE
United States Magistrate Judge

¹ Plaintiff's response to the order to show cause requests that the case be stayed until March 2014. *See* Docket No. 39. To the extent Plaintiff would like the Court to consider such a request, he must file a proper motion seeking that relief.